

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of
Creation of a Low
Power Radio Service

) MM Docket No. 99-25
) RM-9208
) RM-9242
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**Comments of
Edward J. Helleny
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Commenting as an individual**

I have been a radio broadcaster in Southern Illinois since 1974, working as a News Director, Operations Manager, Chief Engineer, and as applicant for Docket 80-90 channels. I currently work as the chief engineer for a cluster of six commercial broadcast stations in the midwest.

I oppose the creation of low power service for several reasons, which I will outline briefly below:

1. Low power service threatens the interference integrity of the existing FM band. Broadcasters have carefully engineered existing facilities to be as interference-free as possible, based on the Commission's spacing and interference rules. In many cases, hundreds of thousands of dollars have been spent by these broadcasters to acquire tower sites and design systems to carefully meet these quality-of-signal standards. To jeopardize the integrity of these signals would not seem to be truly in the public interest.

2. Low power service would seriously hamper efforts to implement In-Band-on-Channel Digital Audio Broadcasting. The additional signals generated by LPFM would use the spectrum space needed for an effective IBOC DAB system. The Commission would be sending mixed signals by – on one hand – actively promoting DTV while – on the other hand – promoting plans that could effectively kill aural digital service.

3. LPFM service could easily disintegrate into a technical and interference quagmire similar to the Citizens Band Radio Service. Microbroadcasters frustrated with the inability to compete with full power services would likely end up employing illegal power levels and perhaps even jamming of competing broadcasters.

4. The suggestion of the Commission to allow simple "one-step" identification of available channels bypasses important processes in existing applications. Currently, broadcasters must employ consulting engineers or qualified in-house staff to demonstrate the proposed facilities will not cause interference and will be compliant with the Commission's rules. By not requiring LPFM broadcasters to undertake the same due diligence, the importance of living within technical rules is diminished in the licensee's view. It would be too easy for LPFM operators to take liberties with technical limits, not having had to go through the same arduous "proof" that existing full power broadcasters have had to demonstrate.

5. There is no guarantee that LPFM will accomplish any of the petitioners' stated goals. The Commission's own history in trying to promote minority ownership in broadcasting is example enough of the fallacy of this plan. My own personal experience in Docket 80-90 proceedings made that clear to me. While I, as an experienced broadcaster who had "paid his dues", had almost no chance of winning a comparative hearing for an 80-90 channel because I was a white male. But, in the end, the channels won by minorities and women were never actually operated by those minorities, but were, rather, sold for a profit.

For these reasons, I urge the Commission to dismiss these proposed rulemakings. I appreciate the opportunity to comment.

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